

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

SPV OSUS LTD.,

Plaintiff,

-against-

HSBC HOLDINGS PLC, HSBC BANK PLC,  
HSBC BANK USA, NA, HSBC USA INC.,  
HSBC SECURITIES SERVICES  
(BERMUDA) LIMITED, HSBC  
INSTITUTIONAL TRUST SERVICES  
(BERMUDA) LIMITED, HSBC BANK  
BERMUDA LIMITED, HSBC SECURITIES  
SERVICES (LUXEMBOURG) S.A., HSBC  
BANK (CAYMAN) LIMITED, HSBC  
PRIVATE BANKING HOLDINGS  
(SUISSE) S.A., HSBC PRIVATE BANK  
(SUISSE) S.A., HSBC FUND SERVICES  
(LUXEMBOURG) S.A., SONIA KOHN,  
MARIO BENBASSAT, ALBERTO  
BENBASSAT, STEHPANE BENBASSAT,  
20:20 MEDICI AG, UNICREDIT BANK  
AUSTRIA AG, BA WORLDWIDE FUND  
MANAGEMENT LTD., UNICREDIT  
S.P.A., HERALD ASSET MANAGEMENT  
LIMITED, EUROVALEUR, INC., PIONEER  
ALTERNATIVE INVESTMENT  
MANAGEMENT LIMITED, ALPHA  
PRIME ASSET MANAGEMENT LTD.,  
REGULUS ASSET MANAGEMENT  
LIMITED, CARRUBA ASSET  
MANAGEMENT LIMITED, TEREOTRUST  
COMPANY LIMITED,  
GENEVALOR, BENBASSAT ET CIE,  
HERMES ASSET MANAGEMENT  
LIMITED, THEMA ASSET  
MANAGEMENT (BERMUDA) LTD.,  
THEMA ASSET MANAGEMENT  
LIMITED, EQUUS ASSET  
MANAGEMENT LIMITED, EQUUS  
ASSET MANAGEMENT PARTNERS, L.P.,  
AURELIA FUND MANAGEMENT  
LIMITED, INTER ASSET MANAGEMENT  
INC., T+M TRUSTEESHIP &

**STIPULATION AND ORDER OF  
DISMISSAL**

Case No. 18-3497 (AJN)

MANAGEMENT SERVICES S.A., GTM  
MANAGEMENT SERVICES CORP. N.V.,  
AURELIA ASSET MANAGEMENT  
PARTNERS, CAPE INVESTMENT  
ADVISORS LIMITED and ERWIN KOHN,

Defendants.

**WHEREAS**, plaintiff SPV OSUS Ltd. and the HSBC Defendants<sup>1</sup> have reached a settlement agreement and now desire to resolve the remaining issues raised as between them in this litigation, without further proceedings and without admitting any fault or liability;

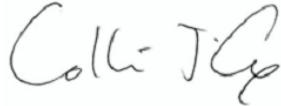
**NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED**, by and between the undersigned, that the above-referenced action is hereby dismissed with prejudice as against the HSBC Defendants without costs.

---

<sup>1</sup> The HSBC Defendants include HSBC Holdings plc, HSBC Bank plc, HSBC Bank USA, N.A., HSBC USA Inc., HSBC Securities Services (Bermuda) Limited, HSBC Institutional Trust Services (Bermuda) Limited, HSBC Bank Bermuda Limited, HSBC Securities Services (Luxembourg) S.A., HSBC Bank (Cayman) Limited, HSBC Private Banking Holdings (Suisse) S.A., and HSBC Private Bank (Suisse) S.A.

Dated: February 11, 2019

YETTER COLEMAN  
LLP

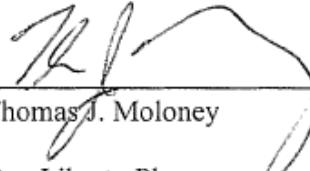


---

Collin J. Cox

811 Main Street, Suite 4100  
Houston, Texas 77002  
T: 713-632-8000  
F: 713-632-8002  
(ccox@yettercoleman.com)

CLEARY GOTTLIEB STEEN &  
HAMILTON LLP



---

Thomas J. Moloney

One Liberty Plaza  
New York, New York 10006  
T: 212-225-2000  
F: 212-225-3999  
(tmoloney@cgsh.com)

*Attorney for the HSBC Defendants*

LAW OFFICE OF MATTHEW C. HEERDE



---

Matthew C. Heerde

222 Broadway 19th Floor  
New York, New York 10038  
Telephone: (347) 460-3588  
Fax: (347) 535-3588  
(mheerde@heerdelaw.com)

*Attorneys for Plaintiff SPV OSUS Ltd.*

SO ORDERED:

---

HON. ALISON J. NATHAN, U.S.D.J.

Dated: New York, New York  
February \_\_\_\_\_, 2019